

30 November 2006

ATTORNEY-GENERAL

LEGAL ADVICE

CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990: MENTAL HEALTH COMMISSION AMENDMENT BILL

- 1 We have assessed whether the Mental Health Commission Amendment Bill ('the Bill'), (PCO 7612/11) is consistent with the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act'). We understand that this Bill will be considered by Cabinet on 4 December 2006.
- 2 The purpose of the Bill is to amend the Mental Health Commission Act 1998 ('the Act') to extend the term of the Mental Health Commission until 2015 and to make a number of changes to the Act. This includes changes to the Mental Health Commission's role in:
 - advising and reporting to the Minister on the implementation of the national mental health strategy;
 - promoting and facilitating collaboration and dialogue about mental health issues; and
 - advocating for the interests of people with mental illness and their families generally.
- 3 We have concluded that the Bill appears to be consistent with the rights and freedoms contained in the Bill of Rights Act.

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